

Northeast (NE) Multispecies Days at Sea (DAS)



Unless otherwise noted, the regulations described below apply to fishing vessels issued valid Federal fishing permits or any vessel fishing in Federal waters. (See 50 CFR § 648.4 for Federal fishing permit requirements.) This information sheet is only a summary of applicable fishing regulations and is not a substitute for the actual regulations which can be found at 50 CFR Part 648.

General DAS Rules:

Vessels issued a limited access NE multispecies permit, except for vessels fishing under the “small vessel” category or Handgear A permit, may not fish for or land regulated species for commercial purposes except during a DAS. Owners or operators of vessels issued limited access NE multispecies permits who are participating under the DAS program and who are not required to provide notification using a Vessel Monitoring System (VMS) must:

- 1) Notify National Marine Fisheries Service (NOAA Fisheries) less than 1 hour prior to leaving port and provide the following information: Owner and caller name, phone number, vessel name and permit number, type of trip to be taken, port of departure, and a statement that the vessel is beginning a trip. The caller will be given a confirmation number that must be kept on the vessel. A DAS begins once the call has been received and a confirmation number is given. The number to call is **1-800-260-8204**.
- 2) Notify NOAA Fisheries at the end of a vessel’s trip by calling **1-800-260-8204**. “End of a vessel’s trip” for purposes of DAS notification means the first time a vessel returns to port after calling in to begin a trip. Note that the cod hail line has been discontinued and a vessel cannot allow its DAS clock to run while at the dock at the end of a trip except as described below for trips longer than 24 hours. The caller must state that the vessel has ended a trip and provide the vessel owner and caller name, phone number, vessel name, permit number, and port of landing.

Vessels that voluntarily use, or that are required to use a VMS must abide by the following:

- 1) Have on board an operational VMS unit from the list of approved VMS published in the Federal Register. The VMS must be tamper proof, operate regardless of environmental conditions, be capable of tracking vessels to 215 nm offshore, provide accuracy within 400 m (1,300 feet), be capable of transmitting messages from vessel to shore, and be capable of archiving DAS Fishing history for a minimum of 1 year (tape, floppy, etc.).

2) A vessel that has crossed a VMS Demarcation Line is deemed to be fishing under the NE multispecies DAS Program (or monkfish/ NE multispecies DAS program if the vessel has a limited access monkfish category C or D permit, unless otherwise allowed), unless the vessel's owner or authorized representative declares the vessel out of NE multispecies, or the monkfish fishery, as applicable, for a specific time period by notifying the Regional Administrator through the VMS prior to the vessel leaving port. The vessel demarcation lines are as follows:

VMS DEMARCATION LINE

Description	N. Lat.	W. Long.
1. Northern terminus point (Canada landmass)	45°03'	66°47'
2. A point east of West Quoddy Head Light	44°48.9'	66°56.1'
3. A point east of Little River Light	44°39.0'	67°10.5'
4. Whistle Buoy "8BI" (SSE of Baker Island)	44°13.6'	68°10.8'
5. Isle au Haut Light	44°03.9'	68°39.1'
6. Pemaquid Point Light	43°50.2'	69°30.4'
7. A point west of Halfway Rock	43°38.0'	70°05.0'
8. A point east of Cape Neddick Light	43°09.9'	70°34.5'
9. Merrimack River Entrance "MR" Whistle Buoy	42°48.6'	70°47.1'
10. Halibut Point Gong Buoy "1AHP"	42°42.0'	70°37.5'
11. Connecting reference point	42°40'	70°30'
12. Whistle Buoy "2" off Eastern Point	42°34.3'	70°39.8'
13. The Graves Light (Boston)	42°21.9'	70°52.2'
14. Minots Ledge Light	42°16.2'	70°45.6'
15. Farnham Rock Lighted Bell Buoy	42°05.6'	70°36.5'
16. Cape Cod Canal Bell Buoy "CC"	41°48.9'	70°27.7'
17. A point inside Cape Cod Bay	41°48.9'	70°05'
18. Race Point Lighted Bell Buoy "RP"	42°04.9'	70°16.8'
19. Peaked Hill Bar Whistle Buoy "2PH"	42°07.0'	70°06.2'
20. Connecting point, off Nauset Light	41°50'	69°53'
21. A point south of Chatham "C" Whistle Buoy	41°38'	69°55.2'
22. A point in eastern Vineyard Sound	41°30'	70°33'
23. A point east of Martha's Vineyard	41°22.2'	70°24.6'
24. A point east of Great Pt. Light, Nantucket	41°23.4'	69°57'
25. A point SE of Sankaty Head, Nantucket	41°13'	69°57'
26. A point west of Nantucket	41°15.6'	70°25.2'
27. Squibnocket Lighted Bell Buoy "1"	41°15.7'	70°46.3'
28. Wilbur Point (on Sconticut Neck)	41°35.2'	70°51.2'
29. Mishaum Point (on Smith Neck)	41°31.0'	70°57.2'
30. Sakonnet Entrance Lighted Whistle Buoy "SR"	41°25.7'	71°13.4'
31. Point Judith Lighted Whistle Buoy "2"	41°19.3'	71°28.6'
32. A point off Block Island Southeast Light	41°08.2'	71°32.1'
33. Shinnecock Inlet Lighted Whistle Buoy "SH"	40°49.0'	72°28.6'
34. Scotland Horn Buoy "S", off Sandy Hook (NJ)	40°26.5'	73°55.0'
35. Barnegat Lighted Gong Buoy "2"	39°45.5'	73°59.5'
36. A point east of Atlantic City Light	39°21.9'	74°22.7'
37. A point east of Hereford Inlet Light	39°00.4'	74°46'
38. A point east of Cape Henlopen Light	38°47'	75°04'
39. A point east of Fenwick Island Light	38°27.1'	75°02'
40. A point NE of Assateague Island (VA)	38°00'	75°13'
41. Wachapreague Inlet Lighted Whistle Buoy "A"	37°35.0'	75°33.7'
42. A point NE of Cape Henry	36°55.6'	75°58.5'
43. A point east of Currituck Beach Light	36°22.6'	75°48'
44. Oregon Inlet (NC) Whistle Buoy	35°48.5'	75°30'

45. Wimble Shoals, east of Chicamacomico	35°36'	75°26'
46. A point SE of Cape Hatteras Light	35°12.5'	75°30'
47. Hatteras Inlet Entrance Buoy "HI"	35°10'	75°46'
48. Ocracoke Inlet Whistle Buoy "OC"	35°01.5'	76°00.5'
49. A point east of Cape Lookout Light	34°36.5'	76°30'
50. Southern terminus point	34°35'	76°41'

3) If a VMS unit fails to transmit an hourly signal of a vessel's position, the vessel shall be deemed to have incurred a DAS, or fraction thereof, for as long as the unit fails to transmit a signal, unless a preponderance of evidence shows that the failure to transmit was due to an unavoidable malfunction or disruption of the transmission that occurred while the vessel was declared out of the NE multispecies fishery, or monkfish DAS, as applicable, or was not at sea.

4) VMS Power Down Exemption is available by sending a written request to the Regional Administrator providing the following: Sufficient information to determine that the vessel will be out of the water for more than 72 continuous hours; the location of the vessel during the time an exemption is sought; and the exact time period for which an exemption is needed (i.e., the time the VMS will be turned off and turned on again).

NE Multispecies Category A DAS, B DAS (Regular and Reserve), and C DAS:

DAS are allocated to a vessel on an annual basis. The final rule implementing Amendment 13 establishes a new DAS baseline, effective May 1, 2004. The DAS baseline shall be used to calculate the number and category of DAS that are allocated for use in a given fishing year as determined below. This baseline is established through a determination of the maximum DAS used by a vessel in any single fishing year between fishing years 1996 through 2001 (May 1, 1996, through April 30, 2002), not to exceed the vessel's annual DAS allocation prior to August 1, 2002, in which at least 5,000 lb (live weight) of regulated species were landed based upon dealer reports submitted to the NOAA Fisheries prior to April 30, 2003. A vessel will not be allocated a DAS baseline in excess of their DAS allocation prior to August 1, 2002, (i.e., prior to the August 1, 2002, Interim Action) due to carry-over DAS or fishing in a Large-Mesh permit category.

Vessel owners have recently been notified by NOAA Fisheries of their DAS baseline as well as their DAS allocation under Amendment 13. A vessel owner may request to correct their NE multispecies Amendment 13 DAS baseline by submitting a letter addressed to the Regional Administrator which includes credible evidence that the information used by NOAA Fisheries to calculate their DAS baseline was based on incorrect data. **DAS baseline correction requests must be received no later than August 31, 2004.**

For fishing years 2004 and 2005, 60 percent of a vessel's DAS baseline are defined as its "Category A" DAS, and 40 percent of a vessel's DAS baseline are defined as its "Category B" DAS. Category B DAS are further categorized as "Regular B" DAS and "Reserve B" DAS, each representing 20 percent of the vessel's DAS baseline. The difference between a vessel's fishing year 2001 DAS allocation and its DAS baseline is the vessel's "Category C" DAS.

DAS Categories: Effective May 1, 2004, Amendment 13 allocates DAS based upon the DAS baseline and creates four DAS categories: Category A DAS, Category B Regular DAS, Category B Reserve DAS, and Category C DAS.

- **Category A DAS** may be used to fish for any regulated species.

- **Category B DAS** (i.e., Regular or Reserve B DAS) may only be used to fish in approved Special Access Programs (SAPs), subject to the requirements of the SAPs (see below).
- **Category C DAS** are reserved and may not be fished at this time.

Allocation of Category A and B DAS: For all limited access NE multispecies DAS permits, effective May 1, 2004, Category A DAS will be allocated and reduced starting in fishing year 2006, and Category B DAS will be allocated and increased starting in fishing year 2006, unless otherwise determined* as follows:

- **For Fishing Years 2004 and 2005**, 60 percent of a vessel's DAS baseline are defined as Category A DAS, and 40 percent of a vessel's DAS baseline are defined as Category B DAS. Category B DAS are further divided equally between Regular and Reserve B DAS, each representing 20 percent of the vessel's DAS baseline.
For example, if a vessel's DAS baseline was determined to be 50 DAS, Category A and B DAS would be allocated as follows:
 - A DAS = 30 (50 x 60%)
 - B DAS = 20 (50 x 40%) [B Regular DAS = 10, B Reserve DAS = 10]
- **For Fishing Year 2006 through 2008**, 55 percent of the vessel's DAS baseline are defined as Category A DAS, and 45 percent of a vessel's DAS baseline are defined as Category B DAS. Category B DAS are further divided equally between Regular and Reserve B DAS, each representing 22.5 percent of the vessel's DAS baseline.
For example, if a vessel's DAS baseline was determined to be 50 DAS, A and B DAS would be allocated as follows:
 - A DAS = 27.5 (50 x 55%)
 - B DAS = 22.5 (50 x 45%) [B Regular DAS = 11.25, B Reserve DAS = 11.25]
- **For Fishing Year 2009 and thereafter**, 45 percent of the vessel's DAS baseline are defined as Category A DAS, and 55 percent of a vessel's DAS baseline are defined as Category B DAS. Category B DAS are further divided equally between Regular and Reserve B DAS, each representing 27.5 percent of the vessel's DAS baseline.
For example, if a vessel's DAS baseline was determined to be 50 DAS, A and B DAS would be allocated as follows:
 - A DAS = 22.5 (50 x 45%)
 - B DAS = 27.5 (50 x 55%) [B Regular DAS = 13.75, B Reserve DAS = 13.75]

Allocation of Category C DAS: Category C DAS are defined as the difference between a vessel's Amendment 13 DAS baseline and the number of DAS allocated to the vessel as of May 1, 2001 (Amendment 7 DAS allocation). For all fishing years, unless otherwise determined, Category C DAS are reserved.

***Changes to DAS Allocation Among DAS Categories:** If groundfish stocks are rebuilding according to the rebuilding schedule, automatic changes in the DAS distribution among the DAS categories (fishing years 2006 and 2009) and DAS counting specified above (fishing year 2006) may be determined to not be necessary. If such a determination is made, you will be notified.

DAS Carry-Over:

Vessels that have unused DAS on the last day of April of any fishing year may carry over a maximum of 10 DAS into the next fishing year (with the exception of vessels that held a Confirmation of Permit History for the entire fishing year preceding the carry-over year). Any DAS

carried over from the 2003 fishing year into the 2004 fishing year will be classified as Regular B DAS. For any DAS carried over from the 2004 fishing year into the 2005 fishing year, and for all subsequent fishing years, the carried-over DAS will be determined as follows: If a vessel has Category A DAS remaining, these will be carried over first; if the vessel has fewer than 10 A DAS remaining, then the vessel's Regular B DAS will be carried over, up to a total of 10 DAS; if the vessel has fewer than 10 A DAS and Regular B DAS, combined, remaining, then the vessel's Reserve B DAS will be carried over, up to a total of 10 DAS, combined.

For example, beginning in fishing year 2005, if a vessel ended the previous fishing year with 3 A DAS, 6 Regular B DAS, and 10 Reserve B DAS, that vessel's carry-over DAS would be 10 DAS, comprised of the following: 3 A DAS, 6 Regular B DAS, and 1 Reserve B DAS. Category C DAS could not be carried over and could not be fished.

Accrual of DAS:

DAS accrue to the nearest minute and will be counted as actual time called into the DAS program, with the exceptions of Day gillnet vessels. Starting in fishing year 2006, unless otherwise determined, for NE multispecies vessels fishing under a DAS in the Southern New England (SNE) or Mid-Atlantic (MA) Regulated Mesh Areas, the ratio of DAS used to time called into the DAS program will be 1.5 to 1.0.

Day gillnet vessels fishing with gillnet gear under a NE multispecies DAS will accrue 15 hours for each trip of more than 3 hours, but less than or equal to 15 hours. Day gillnet vessels will accrue actual DAS time at sea for trips less than or equal to 3 hours, or more than 15 hours.

Exemptions to DAS Call-in Requirements:

DAS and the Gulf of Maine Cod (GOM) Landing Limit:

Trips less than 24 hours long (from call in to call out): A vessel fishing under a NE multispecies DAS and returning to port in 24 hours or less after calling into the DAS program may land only up to 800 pounds of GOM cod and must call out of the DAS program upon returning to port. A vessel may not land more than 800 pounds of GOM cod unless it has called into the DAS program for *a period longer than 24 hours* (see below for trips longer than 24 hours) .

Trips longer than 24 hours long (from call in to call out): For each trip longer than 24 hours, a vessel may land an additional 800 pounds of GOM cod for each additional 24 hour block of DAS fished, *or part of* an additional 24 hour block of DAS fished, up to a maximum of 4,000 lb per trip. A vessel that has been called into only part of an additional 24 hour block of a DAS (more than 24 hours but less than 48 hours) may land up to an additional 800 pounds of GOM cod for that trip. **For example** a vessel that has been called into the DAS program for 25 hours may land 1600 pounds PROVIDED THAT:

After landing, the vessel does not call out of the DAS program or depart the dock (unless transiting), until the rest of the additional 24 hour block of DAS has elapsed. **Therefore, as in the above example**, a vessel which lands 1600 pounds after 25 hours must not call out of the DAS program or depart the dock until 48 hours have elapsed since the vessel called into the DAS program. Note, this only applies to trips greater than 24 hours long.

GOM Cod Trip Limit Exemption Program:

A vessel fishing under NE multispecies DAS may be exempt from the 800 pound GOM cod landing limit when fishing in the GOM Cod Trip Limit Exemption Area (see chart on page 5), provided the following:

- 1) The vessel does not fish north of this exemption area for a minimum of 7 consecutive days (when fishing under the NE multispecies DAS program).
- 2) The vessel has on board an authorization letter issued by the Regional Administrator. To enroll in the Gulf of Maine Trip Limit Exemption Program call (978) 281-9370 and provide the vessel name, permit number, and time period to be enrolled.

A vessel Fishing in this exemption program may transit the GOM Area North of the exemption program boundary provided: The gear is capable is being shown not to have been in recent use and stowed in accordance with one of the following methods:

- 1) *Below deck storage*: Stored below the main working deck, flaked and bound around its circumference, with the towing wires (including leg wires) detached from the net.
- 2) *On deck storage*: Net is flaked, bound around its circumference, securely fastened to the deck or rail, with the towing wires (including the leg wires) detached from the net.
- 3) *On-Reel Stowage*: Net is on a reel, entirely covered with canvas or similar opaque material, and is securely bound; towing wires detached from net; and codend removed and stowed below deck.

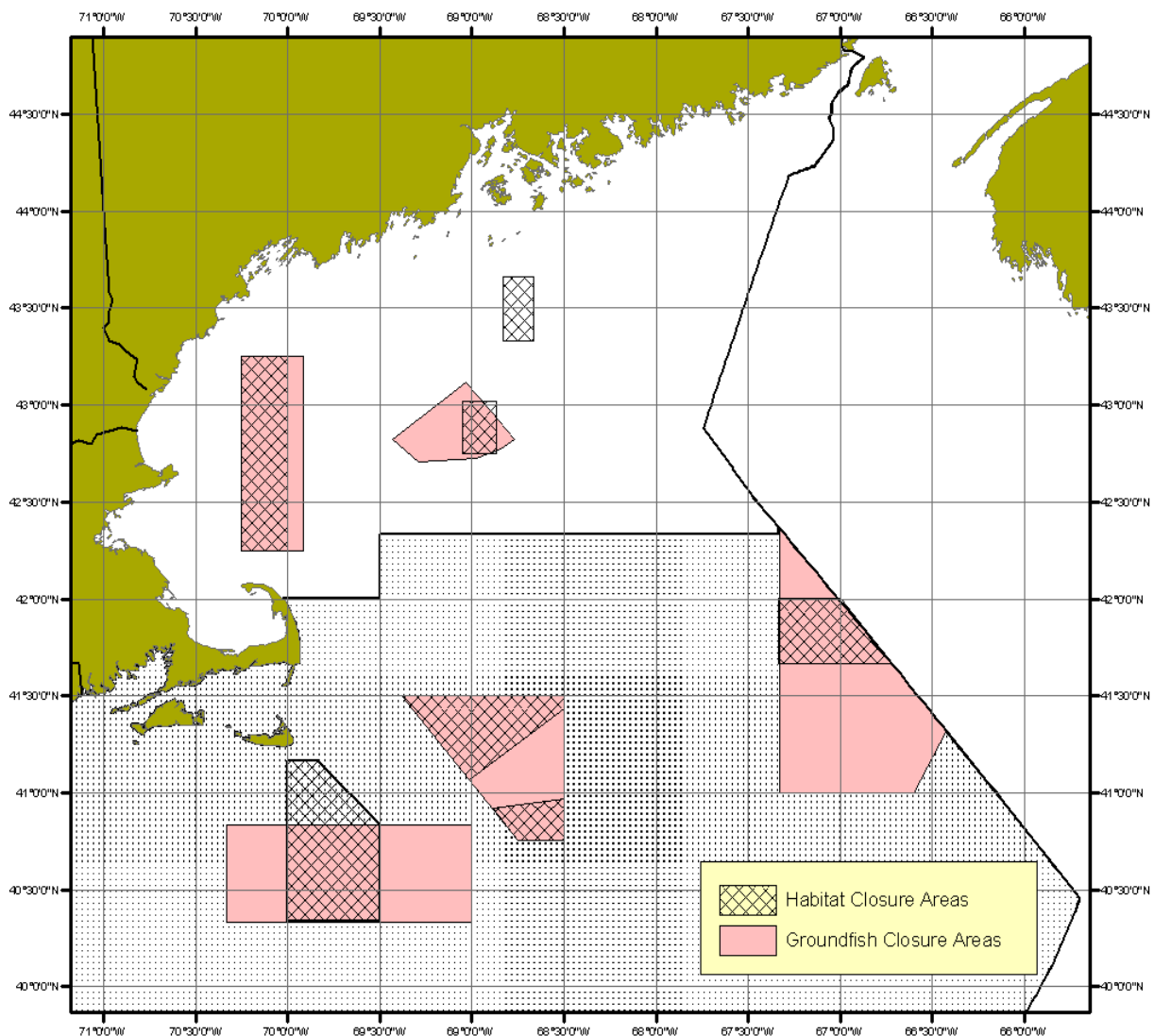
DAS and the Georges Bank Cod Landing Limit:

A vessel enrolled in the Gulf of Maine Trip Limit Exemption Program and fishing under a DAS, is subject to the Georges Bank cod landing and maximum possession limits. Such a vessel may land only up to 1,000 pounds of cod per DAS, or any part of a DAS, up to a maximum possession limit of 10,000 pounds.

Note: The Georges Bank cod landing limit restrictions are the same as the Gulf of Maine cod landing limit restrictions described in the section below with respect to their relationship to the DAS clock.

(click image for larger view)

Gulf of Maine Trip Limit Exemption Program



The Shaded Area is the Gulf of Maine Trip Limit Exemption Program Area.

This is a simplified summary of the measures in effect under the NE Multispecies Fishery Management Plan. You should also get a copy of the official rules as published in the [Federal Register](#).